

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 7:18cr00049

Date: 8/5/20

Defendant: Diamond Topaz Brown, custody

Counsel: Seth Weston, CJA

PRESENT:	JUDGE:	Michael F. Urbanski, CUSDJ
	TIME IN COURT:	3:08-4:14 1h 6m
	Deputy Clerk:	Kristin Ayersman
	Court Reporter:	JoRita Meyer
	U. S. Attorney:	Dan Bubar, Coleman Adams
	USPO:	Andrew Ridgway
	Case Agent:	Bill Engel, ATFE
	Interpreter:	none

PROCEEDINGS: Parties present by ZoomGov. Defendant consents and waives. Court finds that it is in the interest of justice to go forward today by ZoomGov, as stated on record.

- ☒ No Objections to Presentence Report.
- ☒ No evidence presented. Argument.
- ☒ Court adopts Presentence Report as written. Guideline findings made.
- ☒ Government Motion for Substantial Assistance. Court gives 33% reduction.
 - ☒ Court grants. ☐ Court denies.
- ☒ Defendant Motion for Downward Departure/Variance. Argument on 3553(a) factors.
 - ☐ Court grants. ☒ Court denies.
- ☒ Allocutions.

SENTENCE IMPOSED AS FOLLOWS:

CBOP: Ct 1 – 120 months

SR: 3 years - comply w/Standard, Mandatory & Special Conditions.

☐ Mandatory drug testing suspended.

SA: \$100.00 due immediately.

- ☒ Court recommends as follows:
 - ☒ That Defendant receive appropriate drug treatment and/or mental health treatment while imprisoned.
 - ☒ That Defendant be designated to a facility that is closest to her home and consistent with her security classification.

SPECIAL CONDITIONS OF SUPERVISION (Check applicable conditions):

- ☒ The defendant shall reside in a residence free of firearms, ammunition, destructive devices and dangerous weapons.
- ☒ Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant shall participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program.
- ☒ The defendant shall submit his person, property, house, residence, vehicle, papers, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when

reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation.

ADDITIONAL RULINGS:

- ☒ Order of Forfeiture shall be made a part of the judgment in this case. US states that forfeiture was completed administratively.
- ☒ Defendant advised of right to appeal.
- ☒ Defendant remanded to custody.